

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

**U.S. Bank Trust, N.A., as Trustee for LSF9
Master Participation Trust**

Plaintiff

vs.

**Bradley Preble, as Heir to the Estate of
Valerie A. Preble and Bryan Preble a/k/a
Brian Preble, as Heir to the Estate of Valerie
A. Preble**

Defendants

CIVIL ACTION NO: 1:19-cv-00557-JAW

**RE:
381 West Corinth Road, Corinth, ME 04427**

**Mortgage:
August 18, 2005
Book 10046, Page 250**

JUDGMENT OF FORECLOSURE AND SALE

Address: 381 West Corinth Road, Corinth, ME 04427

Mortgage: August 18, 2005, Book: 10046, Page: 250

Property is vacant

This matter came before the Court pursuant to the Default entered on May 11, 2020 against each of the named Defendants [ECF 10], Fed.R.Civ. P.55(b), this Court's Procedural Order dated August 18, 2020 [ECF 14], and the General Orders in response to the recent outbreak of Coronavirus Disease 2019 (COVID-19) in accordance with the *Pandemic/Infectious Disease Plan for the United States District Court for the District of Maine*. (March 2020).

Plaintiff, U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust ("U.S. Bank"), was represented by John A. Doonan, Esq. None of the Defendants appeared or opposed Plaintiff's Motion for Default Judgment of Foreclosure and Sale.

All persons interested having been duly notified in accordance with the law, and after consideration of the Affidavits with supporting documentary evidence and Memorandum of Law in Support of Plaintiff's Motion for Default Judgment on Documentary Evidence, the Plaintiff's

Motion for Default Judgment is **GRANTED. JUDGMENT** on Count I – Foreclosure and Sale is hereby **ENTERED** as follows:

1. If the Defendants, or their heirs or assigns, pay U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust (“U.S. Bank”) the amount adjudged due and owing as of August 18, 2020 (attorney's fees and deficiency are waived) (\$138,286.96) within 90 days of the date of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, U.S. Bank shall forthwith discharge the Mortgage and file a dismissal of this action on the ECF Docket. The following is a breakdown of the amount due and owing:

Description	Amount
Principal Balance	\$105,903.00
Interest	\$17,232.91
Escrow/Impound Required	\$12,813.30
Late Charges Due	\$194.72
Deferred Interest	\$2,143.03
Grand Total	\$138,286.96

2. If the Defendants, or their heirs or assigns, do not pay U.S. Bank the amount adjudged due and owing (\$138,286.96) within 90 days of the Judgment, as that time period is calculated in accordance with 14 M.R.S.A. § 6322, their remaining rights to possession of the Corinth Property shall terminate, and U.S. Bank shall conduct a public sale of the Corinth Property in accordance with 14 M.R.S.A. § 6323, disbursing the proceeds, first to itself in the amount of \$138,286.96 after deducting the expenses of the sale, with any surplus to be disbursed pursuant to Paragraph 5 of this Judgment, and in accordance with 14 M.R.S.A. § 6324. U.S. Bank may not seek a deficiency judgment against the Defendants pursuant to the Plaintiff's waiver of deficiency in its Motion.
3. Pursuant to 14 M.R.S.A. § 2401(3)(F), the Clerk, if requested, shall sign a certification

after the appeal period has expired, certifying that the applicable period has expired without action or that the final judgment has been entered following appeal.

4. The amount due and owing is \$138,286.96 as of August 18, 2020.
5. The priority of interests is as follows:
 - U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust has first priority, in the amount of \$138,286.96, pursuant to the subject LRSA and Mortgage.
 - Brian Preble a/k/a Bryan Preble, as Heir to the Estate of Valerie A. Preble and Bradley Preble, as Heir to the Estate of Valerie A. Preble, who have been defaulted.
6. The pre-judgment interest rate is 4.99800%, see 14 M.R.S.A. § 1602-B, and the post-judgment interest rate is 8.59%, see 14 M.R.S.A. § 1602-C.
7. The following information is included in this Judgment pursuant to 14 M.R.S.A. § 2401(3):

	PARTIES	COUNSEL
PLAINTIFF	U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust 13801 Wireless Way Oklahoma City, OK 73134	John A. Doonan, Esq. Reneau J. Longoria, Esq. Doonan, Graves & Longoria, LLC 100 Cummings Center Suite 225D Beverly, MA 01915
DEFENDANT	Brian Preble a/k/a Bryan Preble, Defaulted as Heir to the Estate of Valerie A. Preble 35 Ridley Lane Palm Coast, FL 32164	
	Bradley Preble, as Heir to the Estate of Valerie A. Preble 47 W Corinth Road Corinth, ME 04427	Defaulted

- a) The docket number of this case is 1:19-cv-00557-JAW.
- b) All parties to these proceedings received notice of the proceedings in accordance with the applicable provisions of the Federal Rules of Civil Procedure.
- c) A description of the real estate involved, 381 West Corinth Road, Corinth, ME 04427 is set forth in Exhibit A to the Judgment herein.
- d) The street address of the real estate involved is 381 West Corinth Road, Corinth, ME 04427. The Mortgage was executed by Valerie A. Preble and William A. Preble, on August 18, 2005. The book and page number of the Mortgage in the Penobscot County Registry of Deeds is **Book 10046, Page 250.** Both Mortgagors are deceased.
- e) This Judgment of Foreclosure and Sale shall not create any personal liability on the part of the Defendants, but shall act solely as an *in rem* judgment against the property located at 381 West Corinth Road, Corinth, ME 04427.

SO ORDERED.

DATED THIS 22nd DAY OF September, 2020

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE